

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

A PTY LTD.,	§	
	§	Civil Action No. 1:15-cv-155
Plaintiff,	§	
	§	
v.	§	Jury Trial Demanded
	§	
EBAY, INC.,	§	
	§	
Defendant.	§	
	§	

JOINT NOTICE REGARDING CLAIM CONSTRUCTION

Plaintiff A Pty Ltd. (“Plaintiff”) and Defendant eBay, Inc. (“Defendant” or “eBay”) hereby file this Joint Notice Regarding Claim Construction in connection with the Joint Pre-*Markman* Scheduling Order entered in this case (Doc. No. 36).

The Joint Pre-*Markman* Scheduling Order specifies that the parties are to file opening *Markman* briefs on November 20, 2015. The parties have agreed on the proper construction of the only claim term identified by either party as disputed, as follows:

email address: “a string of characters complying with an addressing format for transmission of an email message by the SMTP protocol”

Since no other term has been identified as disputed, the parties will not be submitting *Markman* briefs. The parties have notified Special Master Bayer of the status of the claim construction deliberations.

Date: November 20, 2015

Respectfully submitted,

/s/ Jay D. Ellwanger

Jay D. Ellwanger

Texas State Bar No. 24036522

jellwanger@dpelaw.com

William M. Parrish

Texas State Bar No. 15540325

bparish@dpelaw.com

Daniel L. Schmid

Texas State Bar No. 24093118

dschmid@dpelaw.com

DiNovo Price Ellwanger & Hardy LLP

7000 North MoPac Expressway

Suite 350

Austin, Texas 78731

(512) 539-2626 (phone)

(512) 539-2627 (fax)

**ATTORNEYS FOR PLAINTIFF
A PTY LTD.**

Respectfully submitted,

/s/ Kristin L. Cleveland

Kristin L. Cleveland (Pro Hac Vice)

Oregon Bar No. 001318

kristin.cleveland@klarquist.com

Stephen J. Joncus

Texas Bar No. 00794037

stephen.joncus@klarquist.com

Carla Todenhagen (Pro Hac Vice)

Oregon Bar No. 065283

carla.todenhagen@klarquist.com

John D. Vandenberg (Pro Hac Vice)

Oregon Bar No. 893755

john.vandenberg@klarquist.com

KLARQUIST SPARKMAN, LLP

121 S.W. Salmon Street, Suite 1600

Portland, Oregon 97204

Telephone: 503-595-5300

Facsimile: 503-595-5301

**ATTORNEYS FOR DEFENDANT
EBAY INC.**

CERTIFICATE OF CONFERENCE

I hereby certify that the parties have conferred regarding the subject matter of this notice and agree on its contents.

/s/ Jay D. Ellwanger

Jay D. Ellwanger

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a), CV-5(b). As such, this document was served on all counsel who are deemed to have consented to electronic service. All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing via electronic mail and/or first class mail, on this the 20th day of November, 2015.

/s/ Jay D. Ellwanger

Jay D. Ellwanger